



GRANT OF PLANNING PERMISSION

TOWN AND COUNTRY PLANNING ACT 1990

APPLICATION NO. 2011/0356

To Richard Ryder Partnership
Stoneleigh Pavilions
16 Bryan Road
Birkby
Huddersfield

DESCRIPTION Residential development - erection of 15 no dwellings (2007/0842 Extension of Time Limit)

LOCATION Land at Royston Lane, Royston, Barnsley.

Permission is granted for the proposals which were the subject of the Application and Plans registered by the Council on 13 April 2011 and described above.

The approval is subject on compliance with the following conditions:

- 1 The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.
Reason: In order to comply with the provision of Section 91 of the Town and Country Planning Act 1990.
- 2 The development hereby approved shall be carried out strictly in accordance with the plans and specifications as originally approved on the 18th March 2008 under planning application reference 2007/0842 unless prior written consent has been given by the Local Planning Authority to any variation.
Reason: In the interests of the visual amenities of the locality and in accordance with UDP Policy BE6, Design Standards.
- 3 No development shall take place until full details of the proposed external materials have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.
Reason: In the interests of the visual amenities of the locality and in accordance with UDP Policy BE6, Design Standards.

The grant of this consent does not constitute or imply permission, approval or consent by the Local Authority for any other purpose.

Signed 
Assistant Director, Planning and Transportation

Dated 04 July 2011

- 4 Pedestrian intervisibility splays, having the dimensions 2m x 2m, shall be safeguarded at the drive entrance/exit such that there is no obstruction to visibility at a height exceeding 1m above the nearside channel level of the adjacent highway.
Reason: In the interest of highway safety.
- 5 The parking/manoeuvring facilities, indicated on the submitted plan, shall be surfaced in a solid bound material (i.e. not loose chippings) and made available for the manoeuvring and parking of motor vehicles prior to the development being brought into use, and shall be retained for that sole purpose at all times.
Reason: In the interest of highway safety.
- 6 Development shall not commence until arrangements have been entered into to secure such works to mitigate the effect of the development and such works shall be completed prior to the development being brought into use. Such works shall comprise of :-
- a) Widening of the carriageway to provide two running lanes 3.5 metres wide and central right turn facilities 3.0m wide. These works shall extend for the full site frontage and a sufficient distance beyond to ensure the scheme satisfactorily ties in to the existing carriageway width.
 - b) Provision of a 2.0 metre wide footway for the full site frontage, to tie into the existing.
 - c) Relocation of the existing bus stop outside the site and bus shelter opposite.
 - d) Repositioning of existing street lighting and highway drainage.
 - e) Provision of all necessary road markings to provide right-turn facilities for the proposed site, the two petrol station accesses, the Bethel Community Church, the Ring O'Bells Public House and Church Hill.
 - f) All necessary carriageway resurfacing to complete the scheme.
- Reason: In the interests of highway safety**
- 7 No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by, the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:
The parking of vehicles of site operatives and visitors
Means of access for construction traffic
Loading and unloading of plant and materials
Storage of plant and materials used in constructing the development
Wheel washing facilities
Measures to control the emission of dust and dirt during construction
Measures to control noise levels during construction
Reason: In the interests of highway safety, residential amenity and visual amenity.
- 8 Development shall not commence until full highway engineering construction details have been submitted to and approved in writing, by the Local Planning Authority.
Reason: In the interests of road safety.
- 9 The development shall be carried out in accordance with the approved Flood Risk Assessment by Longden Design Associates, ref. ML/FRA/RRP/BARN/01, dated August 2007 and shall incorporate all the proposed mitigation measures detailed in the FRA.
Reason: So as to reduce the risk to the property in the event of flooding and to accord with PPS 25.
- 10 The floor level of any dwelling constructed on this site shall be a minimum of 1.0 m above the bank top level i.e. 51.3 m A.O.D.
Reason: To reduce the risk to the property in the event of flooding.

11 No development shall take place until:

(a) Full foul and surface water drainage details, including a scheme for surface water run-off limitation and a programme of works for implementation, have been submitted to and approved in writing by the Local Planning Authority:

(b) Porosity tests are carried out in accordance with BRE 365, to demonstrate that the subsoil is suitable for soakaways;

(c) Calculations based on the results of these porosity tests to prove that adequate land area is available for the construction of the soakaways;

Thereafter no part of the development shall be occupied or brought into use until the approved scheme has been fully implemented. The scheme shall be retained throughout the life of the development, unless otherwise agreed in writing with the Local Planning Authority.

Reason: To ensure proper drainage of the area

12 No piped discharge of surface water from the application site shall take place until works to provide a satisfactory outfall for surface water have been completed in accordance with details to be submitted to and approved in writing by the Local Planning Authority before development commences.

Reason: To ensure that the site is properly drained and surface water is not discharged to any off site drainage system, which will prevent overloading.

13 If any surface water drainage is discharged to the watercourse the discharge rate shall be restricted to a maximum of 5 litres/second. Any balancing facility shall be designed to accommodate a 1 in 30 year storm flow from the site and a 1 in 100 year flow retained within the site without causing flooding to property.

Reason: To prevent the increased risk of flooding.

14 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking or re-enacting that Order with or without modification), there shall be no new buildings, structures (including gates, walls and fences) or raised ground levels within 3 metres of the top of any bank of the watercourse inside or along the boundary of the site, unless agreed otherwise in writing by the Local Planning Authority.

Reason: To maintain access to the watercourse for maintenance or improvements and provide for overland flood flows.

15 No development shall commence until full details of cleaning and dredging works to the watercourse have been submitted to and approved in writing by the Local Planning Authority.

Reason: To maintain the proper functioning of the existing watercourse.

16 Prior to the commencement of development plans to show the following levels shall be submitted to and approved by the Local Planning Authority; finished floor levels of all buildings and structures; road levels; existing and finished ground levels. Thereafter the development shall proceed in accordance with the approved details.

Reason: To enable the impact arising from need for any changes in level to be assessed and in accordance with UDP Policy BE6, Design Standards.

17 No hedges or trees on the site (except those shown to be removed on the approved plan), or their branches or roots, shall be lopped, topped, felled, or severed.

Reason: To safeguard existing trees/hedges, in the interests of the visual amenities of the locality and in accordance with UDP Policies GS22, Woodland, Hedgerows and Trees and GS22A.

- 18 No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority, full details of both hard and soft landscaping works, including details of the species, positions and planted heights of proposed trees and shrubs; together with details of the position and condition of any existing trees and hedgerows to be retained.
Reason: In the interests of the visual amenities of the locality.
- 19 All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner; and any trees or plants which die within a period of 5 years from the completion of the development, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with other of similar size and species, unless the Local Planning Authority give written consent to any variation.
Reason: In the interests of the visual amenities of the locality.

Reason(s) for Granting Permission

- 1 Unique The original application was assessed against the current Development Plan, having full regard to National and Regional policy which has since been published it is not considered that there are any material considerations which would suggest that the extension to the application should not be allowed.

Informative(s)

- 1 The proposed development lies within an area which could be subject to current coal mining or hazards resulting from past coal mining. Such hazards may currently exist, be caused as a result of the proposed development, or occur at some time in the future. These hazards included:
 - Collapse of shallow coal mine workings;
 - Collapse of, or risk of entry into, mine entries (shafts and adits);
 - Gas emissions from coal mines including methane and carbon dioxide;
 - Spontaneous combustion or ignition of coal which may lead to underground heatings and production of carbon monoxide;
 - Transmission of gases into adjacent properties from underground sources through ground fractures;
 - Coal mining subsidence
 - Water emissions from coal mine workings.

Applicants must take account of these hazards which could affect stability, health & safety, or cause adverse environmental impacts during the carrying out their proposals and must seek specialist advice where required. Additional hazards or stability issues may arise from development on or adjacent to restored opencast sites or quarries and former colliery spoil tips.

Failure to obtain Coal Authority permission for such activities is trespass, with the potential for court action. In the interests of public safety the Coal Authority is concerned that risks specific to the nature of coal and coal mine workings are identified and mitigated.

The above advice applies to the site of your proposal and the surrounding vicinity. You must obtain property specific summary information on any past, current and proposed surface and underground coal mining activity and other ground stability information in order to make an assessment of the risks. This can be obtained from The Coal Authority's Property Search Service on 0845 762 6848 or at www.groundstability.com

- 2 Any new outfall to the watercourse shall be constructed so that it causes no interference to the flow, or erosion of the bed or banks. The Land Drainage Act 1991 requires the prior written consent of The Environment Agency for any proposal to divert, culvert or otherwise obstruct the flow in any watercourse. This applies if the watercourse is affected by any temporary works involved in building a new outfall.

NOTES:-

Appeals to the Secretary of State

If you are aggrieved by the decision of the Council to grant permission for the proposed development subject to conditions then you can appeal to the Secretary of State for the Environment, Transport and Regions under Section 78 of the Town and Country Planning Act. If you want to appeal, then you must do so within six months of the date of this notice, using a form which you can get from The Planning Inspectorate, Room 3/24 Hawk Wing, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN.

The Secretary of State can allow a longer period for giving notice of an appeal, but he will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal. The Secretary of State need not consider an appeal if it seems to him that the Local Planning Authority could not have granted planning permission for the proposed development or could not have granted it without the conditions it imposed, having regard to the statutory requirements, to the provisions of the development order and to any directions giving under the order. In practice, the Secretary of State does not refuse to consider appeals solely because the Local Planning Authority based its decision on a direction given by him.

Purchase Notices

If either the Local Planning Authority or the Secretary of State for the Environment, Transport and Regions refuses permission to develop land or grants it subject to conditions, the owner may claim that he can neither put the land to a reasonably beneficial use in its existing state nor can he render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted. In these circumstances, the owner may serve a purchase notice on the Council in whose area the land is situated. This notice will require the Council to purchase his interest in the land in accordance with the provisions of part VI of the Town and Country Planning Act 1990.

Compensation

In certain circumstances compensation may be claimed from the Local Planning Authority if permission is refused or granted subject to conditions by the Secretary of State on appeal or on reference to the application to him. These circumstances are set out in Sections 114 and related provisions of the Town and Country Planning Act 1990.